

REMARKS

Claims 1-6 are pending in the application.

Specification/35 U.S.C. §112

The specification is objected to for asserted failure to support the recitation in claim 1 of “the radial beads predisposing strain creases to form in an even pattern coincident with said radial beads in a direction towards said lid perimeter”. Claims 1-6 are rejected under 35 U.S.C. §112, first paragraph, for asserted failure to comply with the written description requirement on the basis that the originally filed disclosure supposedly only sets forth the following phrase “[c]reases 440 have formed partially coincident with the beads 450” at paragraph [0015].

Actually, the entire paragraph [0015] refers to Fig. 4 as follows:

Turning to Fig. 4, a container 400 of the type described in Fig. 1 is sealed with a lid 410 of the type described in Fig. 3. As Fig. 4 shows, a differential in pressure has caused the lid 410 to expand upwardly. Creases 440 have formed partially coincident with the beads 450 (i.e., the creases 440 naturally form in the beads 450). The creases 440 are distributed evenly, and therefore are subject to substantially identical forces.

According to paragraph [0015], formation of creases begins with the beads 450, with the creases naturally forming with the beads. By reference to Fig. 4 in paragraph [0015], the original disclosure sets forth that creases extend in a direction toward the lid perimeter. While paragraph [0015] states formation of the creases “partially coincident with the beads”, the disclosure is not limited thereto. Fig. 4 clearly shows creases formed in locations away from the beads in a direction toward the lid perimeter.

The specification and the drawings provide clear support for the subject matter of claim 1. Accordingly, withdrawal of the objection to the specification and rejection of claims 1-6 under 35 U.S.C. §112 is respectfully requested.

Prior Art Rejections

Claims 1-6 stand rejected under 35 U.S.C. §102(b) for anticipation by U.S. Patent No. 5,685,449 to Oblak. Claims 2 and 5 are also rejected under 35 U.S.C. §103(a) for obviousness over Oblak. These rejections are traversed for the following reasons.

The Oblak patent discloses depressions (46) positioned near the perimeter of the lid (10). To the extent that the perimeter of the lid includes the lid lugs (31) or the like, this does not detract from the specified location for the depressions (46) as shown in Figs. 3 and 4 of Oblak, essentially adjacent to the perimeter of the horizontal portion of the lid. These depressions (46), while formable in a variety of shapes (oval, square or diamond), are provided to purposefully weaken the central portion (24) of the lid (10) in the vicinity of each depression (46). Referring to Figs. 3 and 4, it is evident that the sacrificial depressions (46) allow for wrinkles (47) to develop in a direction away from the lid perimeter when a pressure differential develops across the lid. This is in direct contrast to the radial beads of the present invention that, upon development of a pressure differential across the lid, predispose strain creases forming in a direction toward the lid perimeter.

Moreover, the Oblak patent specifically teaches away from development of strain creases in a direction toward the lid parameter in the paragraph bridging cols. 7 and 8. In particular, Oblak teaches the use of an annular expansion bead (38) that prevents a wrinkle forming in the center portion of the body from extending toward the perimeter of the lid. As such, it cannot be said that the sacrificial depressions of Oblak constitute radial beads that predispose creases to form in a direction toward the lid perimeter. In fact, the exact opposite is taught by the Oblak patent.

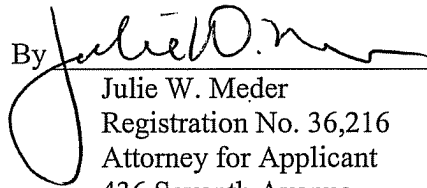
As to claims 2 and 5 (specifying that the claimed radial beads are stamped in the lid), even if stamping of a container lid is known in the art, this does not detract from the basic failure of the Oblak patent to teach or provide any reason to include radial beads that predispose strain creases to be formed in a direction toward the lid perimeter, as required by claims 1 and 4.

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Accordingly, claims 1-6 define over the prior art of record and are in condition for allowance.

Respectfully submitted,

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